shall be valid unless made after even days from the date of the injury or death. Bestion 88. Upon receipt of natice of any accident the commission shall forward to the employer and to the employer or his dependents a form of agreement to pay and accept compensation, providing for payment of compensation, providing for payment of compensation in accordance with the provisions of this act, which agreement shall be promptly executed by both parties and returned to the commission, and if in any case the employer disputes the claim for compensation and for that reason refuses to execute the agreement to pay compensation, the commission shall assist the person who claims to be entitled thereto, in filing his claim and securing an early adjudication thereof; and where such agreements to pay and receive compensation are executed and filed it shall be the duty of the commission, in case payments thereunder are not promptly made to provide prompt measures for the payment of such compensation and for hearing disputes with reference thereto. If the parties agree, they shall file with the commission a report of the facts and their agreement, and if the agreement is approved by the commission it shall make an award of compensation thereon in accordance therewith.

Section 27. Every employer, his director, officer or agent, who discharges or

thereon in accordance therewith.

Bection 37. Every employer, his director, officer or agent, who discharges or in any way discriminates against an employee for exercising any of his rights under this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail for not less than one week nor more than one year, or by both such fine and imprisonment.

Bection 38. No proceedings for account of the county of the

mprisonment.

Section 35. No proceedings for compen-ation under this act shall be maintained "less written notice of the time, place and nature of the injury, and the name and nature of the injury, and the name and address of the person injured, shall have been given to the amployer as agon as practicable after the happening there-of, unless the commission shall find that there was good cause for failure to give such notice. No defect or inaccuracy in such notice shall invalidate the same un-less the commission shall find that the employer was in fact missed and preju-diced thereby.

mployer was in fact misled and prajuliced thereby.

Section 29. No proceedings for compenallon under this act shall be maintained
unless a claim therefor be filed with the
commission within six months after the
injury or death, or in case payments have
been made on account of the injury or
death, within six months from the data of
the last payment. In all other respects
such limitations shall be governed by the
law of civil actions other than for the
secovery of real property, but the appointment of a guardian shall be deemed
the termination of legal disability from
minority or insanity.

pointment of a guardian shall be deemed the termination of legal disability from minority or insanity.

Section to. If the employer and the injured semployee or his dependents fail to reach an agreement in regard to compensation under this set, or if they have reached such an agreement which has been signed and filed with the commission and compensation has been paid or is due in accordance therewith, and the parties thereto then disarree as to the continuance of any weekly payment under such agreement, either party may make an application to the commission for a hearing in regard to the matters at issue and for a ruling thereon. Immediately after such application has been received the commission shall set the date for a hearing, which shall be held as soon as practicable, and shall notify the parties at issue of the time and place of such hearing.

Section 41. The commission or any of its mambers or referees shall hear in a summary proceeding the parties at issue and their representatives and witnesses and shall determine the disputs. All evidence introduced at any such hearing shall be reported by a competent stenographer appointed by the commission. The award, logsther with a statement of the findings of fact, ruling of law and any other matters pertinent to the question at issue, shall be filed with the record of proceedings, and a copy of the award shall immediately be sent by registered United States mail to the parties in dispute.

Bection 42 Upon its own motion or upon

Section 42. Upon its own motion or upon the application of any party in interest on the ground of a change in condition, the commission may at any time review any award and on such review may make an award ending, diminishing or increasing the compensation previously awarded, subject to the maximum or minimum pro-vided in this act, and shall immediately send to the parties a copy of the award. No such review shall affect such award as regards any moneys paid.

Rection 43. If an application for review is made to the commission within ten days from the date of the award, the full commission, if the first hearing was not held before the full commission, shall review the evidence, or, if deemed advisable, as soon as practicable hear the parties at fixture, their representatives and winnesses and shall make an award and file same in like manner as specified in the fore-ming section.

in the manner as specified in the foreguing section.

Bertion 44 An award of the commission
as provided in section 41. If not reviewed
in due time, or an award of the commispion upon such review as previded in section 43, shall be conclusive and binding
as to all questions of fact, but either
party to the dispute may within thirty
days from the date of the action or award
of the full commission appeal to the cirsuit court of the county in which the
accident accurred, or if the accident ocsurred outside of this state, then in the
county where the contract was made for
servers of law, by filling notice of appeal
with the commission, whereupon the commission shall, under its certificate, return
to the court all documents and papers on
file in the matter together with a transeript of the cause. Appeal from the
awards which shall thereupon become the
reserd of the cause. Appeal from the
awards which shall thereupon the same as
in civil actions and all appeals to the
effection contests. Upon the setting aside
of the award, the court may remand the
sause to the commission for further hearin, or proceedings, or it may enter the
proper judgment upon the findings, as
the nature of the case may demand. In
all appeals from the commission or circuit
court the costs thereof shall be assessed
against the losing party as provided by
law in civil cases.

Section 45. Any party in interest may
file in the circuit court of the county in

Bection 65. Any party in interest may file in the circuit court of the county in which the accident occurred a certified supy of a memorandum of agreement ap-proved by the commission or of an order or decision of the commission, or of an award of the commission unappealed from, whereupon said court shall render judgment in accordance therewith and

tion.

(b) The commission or any of the commissioners, or referees, may appoint a duly qualified impartial physician to examine the injured employee and to report, his fees and traveling expenses for which shall be fixed and allowed by the commission and paid as other costs under this act. If all the parties shall have hard reasonable access thereto, the report of such physician shall be admissible in evidence.

(c) The institute of the commission of the com

euch physician shall be admissible in evidence.

(c) The testimony of any physician
who examined the employee shall be admissible in evidence in any proceedings
for compensation under this act.

(d) Certified copies of the proceedings
before any coroner holding an inquest over
the body of any employee receiving an
injury in the course of his employment
resulting its death, shall be admissible in
evidence in any proceedings for compensation under this act, and it shall be the
duty of the corroner to give notice of such inquest to the employer and the depend-ents of the deceased employee, who shall have the right to cross-examine the wit-

Section al. All proceedings be: re the commission or any commissioner or referee shall be simple, informal and summary, and without regard to the technical rules of evidence, and no defect or irregularity therein shall invalidate the name. Except as herein otherwise provided, all such proceedings shall be according to such rules and regulations as may be adopted by the commission.

such rules and regulations as may be adopted by the commission.

Rection \$2. The commission, or any commissioner or referse, shall have power to issue process, subpoens witnesses, administer caths, examine books and papers, and require the production thereof, and to cause the deposition of any witness to be taken and the costs thereof paid as other costs under this act. Any party shall be entitled to process to compel the attendance of witnesses and the production of books and papers, and at his own cost to take and use depositions in like manner as in civil cases in the circuit court. Subpeses shall sate of to all parts of the state, and may be served as in civil actions in the circuit court, but the costs of such service shall be as in other civil actions in the circuit court, but the fees and mileage prescribed by law in civil cases, but the same shall receive the fees and mileage prescribed by law in civil cases, but the same shall not be allowed as costs to the party in whose behalf the witness was summoned unless the persons before whom the hearing is had chall cartify that the testimony of such witness was necessary. All costs under this act shall be asproved by the commission shall determine that any precedings before it or any of its members, or before any referse, have been brought, prosecuted or defended without reasonable ground, it may assess the whole cent of the proceedings upon the party whe so brought, prosecuted or defended without reasonable ground. It may assess the whole cent of the proceedings upon the party whe so brought, prosecuted or defended them.

Section \$2. If any person subposmed to appear at any hearing or proceeding fails to obey the command of such subposm without reasonable cause, or if any person in attendance at any hearing or proceeding their to be sworn, or to be examined, or to answer a question, or to produce a book or paper or to subscribe or swear to his deposition, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be purished by a fine of not

service that he mostleties to escription to adjust the secretary and the presentation of the provision of section is of this act upon the presentation is it of that act upon the presentation is the section of the sec

under this act.

Sec. 52 The commission may sue and be sued in its official name and shall have a seal-bearing the inscription "Missouri workmen's compensation commission." The seal shall be affixed to all write and authentication of copies of records, papers on file, and to such other instruments as the commission shall direct, and all courts shall take judicial notice of such seal Copies of the records and proceedings of the commission, and of all papers on file in its office, certified under the said seal, shall be evidence in all courts of the state.

Section 55. The commission shall appoint and prescribe the duties of a secretary whose salary shall be 32,500 per annum, and he shall held office at the pleasure of the commission. The commission may appoint or employ during its pleasure and may be necessary to the proper adminis-tration of this act at enlaries to be fixed tration of this act at enlaries to be fixed by the commission and approved by the governor: provided, however, that such salaries shall in no case exceed \$100 per month to any stenographer. \$100 per month to any other employee or assistant. The commission may also ap-point a medical advisor whose salary shall be fixed by the commission, but shall not exceed \$4,000 per annum. The commission may also appoint to hear any case any circuit judge who shall act without com-pensation therefor.

Section 60. It shall be the duty of the attorney-general to furnish the commission with such legal services as it may require, and to appear on its behalf in all actions or proceedings to which it may be a party.

all actions or proceedings to which it may be a party.

Section 61 The commission shall prepare and furnish free of charge blank forms of all notices, claims, reports, proofs and other blank forms and literature which it may deem proper and requisite to the efficient administration of this act. It may also authorise the publication and distribution of such blanks by employers and other persons.

Section 62 The commission shall be provided with an office at the state capitol in which its records shall be kept and may maintain offices in such parts of the state as may be fixed by it. The commission shall also be provided with the necessary office furniture, books, stationery and other supplies. Paper and stationery shall be furnished, and prinking done for the commission as provided by chapter 55. Revised Statutes, 1915. The commissioners and each of their appointees the employees shall have reimbursed to them their actual travelling supeness and dischuraments incurred in the discharge of their duties while away from their requision their actual travelling supeness and dischuraments incurred in the discharge of their duties while away from their requisions who incurred them and approved by the chairman of the same shall not be paid until vertical by the affidavit of the presses who incurred them and approved by the chairman of the commission. All salaries, expenses and coots under this act shall be paid monthly out of the state treasury from the fund for the sepact of the Missouri werkman's compensation commission and its members shall have such powers as may be necessary for any such purpose.

Section 64 The commission shall charge.

ped words and figures; for certified explose of afficial deciminate, awards or other excited, filess could for each one laundred words and figures, and one defaut for recy certificate under otal afficial thereog; for each certified capy of annual report of the commission, and defaut and fifty solid; for coping of orificates and precedings, filess could for good one hundred cords and figures; also all other feet and afficial affects and affected or required to be considered under this act or any other law. The commission shall also fix and anticome from the commission shall also fix and anticome. charges allowed or required to be collasted under this act or any other law.
The commission shall also fit and coffect
from the employer the reasonable expense
of any investigation measurery to determine his ability to earry his own insurance. No fees shall be charged or collected
for copies of papers, records, or official
detensents furnished to public officers for
use in their official aspectty, or for annual
reports or other matters published by the
commission, in the ordinary course of distribution, but the commission may fix
reasonable charges for publications issued
under its authority.

Section 65. Every public officer, without
exacting a fee or charge therefor, shall
furnish the commission on application
with a certified copy of any document, or
part thereof, on file in his office, and no
public officer shall be entitled to receive
from the commission any fee for entering,
filing, docketing or recording any document required or authorized by law to be
filed in his office.

Section 64. The commission—il make
and submit to the governor, on or before
the second Monday of January, in each
year, a report containing a full and complets account of its transactions and proceedings for the preceding year, together
with all statistics and information collected by it, and such other facts, suggestions and recommendations as it may
deem of value, which report shall be laid
before the legislature.

Section 67. There is fareby created and
established a fund to be known as the
"Missouri compensation lessurance fund."
to be administered by the Missouri workmen's compensation insurance fund."
to be administered by the Missouri workmen's compensation commission, without
liability on the part of the state, for the

men's compensation commission, without liability on the part of the state. for the purpose of insuring employees arainst liability for compensation under this act, and insuring to employees and other persons the compensation fixed by this act for employees and their dependents.

the compensation fixed by this act for employees and their dependents.

Section 68. The Missouri compensation insurance fund shall be deemed to be an insurance carrier, shall be subject to all of the provisions of this act applying to insurance carriers, and shall be entitled to and may enforce all rights which are given to other insurers of employers under this act.

given to other insurers of employers under this act.

Section 59. The Missouri compensation insurance fund shall be a revolving fund and shall consist of all money or property which may in any way be acquired by said fund all premiums received and paid into the said fund for compensation insurance issued, all property and securities acquired by and through the use of moneys belonging to said fund and all interests carned upon moneys relating to said fund deposited or invested, as herein provided. rovided.
Section 70, Said fund shall be applicable

to the payment of losses sustained on account of insurance and to the payment of salaries and other expenses to be charged against said fund in accordance with the provisions contained in this act.

Section 71 Said fund thall be fairly Section 71. Said fund thall be fairly competitive with other insurance carriers. It is the intent of the lexislature that said fund shall ultimately become neither more or less than self-supporting. In order that the Missouri compensation insurance fund shall ultimately become neither more nor less than self-supporting, the actual loss than self-supporting, the actual loss experience and expense of the fund shall be ascertained on or about the first of January of each year for the year preceding, and should it then he shown that January of each year for the year preceding, and should it then be shown that there exists an excess of assets over habilities, such liabilities to include the necessary reserve and a reasonable garpins for the catastrophe hazard, then in the discretion of the commission, a cash dividend shall be declared to, or a credit allowed on the renewal premium of each employer who has been insured with the fund, such cash dividend or credit to be such an amount to which, as in the discretion of the commission, such employer may be the commission, such employer may be entitled as the employer's proportion of divisible surplus.

divisible surplus.

Section 73. The commission is hereby vested with full power, authority and jurisdiction over the Missouri compensation insurance fund and may do and perform any and all things whether herein specifically designated or in addition thereto, which are necessary or convenient in the exercise of any power, authority, or jurisdiction over said fund, in the administration thereof or in connection with the insurance business to be carried on by it under the provisions of this act as fully and completely as the governing body of a private insurance carrier might or could do.

Section 73. The commission shall have

Section 73. The commission shall have full power and authority, and it shall be its duty, to manare and conduct all busi-ness and affairs in relation thereto, all of which business and affairs shall be con-ducted in the name of the Missouri com-pensation insurance fund and in that name, without any other name or title,

name, without any other name or this, the commission may—

(a) Sue and be sued in all the courts of the state in all actions arising out of any act, deed, matter, or thing made, omitted, entered into, done or suffered in connection with the Missouri compensation incurance fund, the administration, manneurance fund, the administration, manneurance fund.

(b) Make and enter into contracts of insurance as breain provided, and such other contracts or obligations relating to the Missouri compensation insurance fund as are authorized or permitted under the

Section 73. The commission shall not, nor shall any commissioner, officer or employee thereof be personally liable in his private capacity for or on account of any act performed or contract or other obligation entered into or taken in an official capacity, in good faith and without intent to defraud, in connection with the admin-

(5) To sell annulties covering

(5) To decline to insure any risk in which the minimum requirements of the commission with regard to sensituation, equipment, and observation are not observed or which is beyond the and carrying of the Misseuri compensation insurance fund, but shall not have power, or authority except as otherwise provided in the section, to refuse to insure any compensation risk tendered with the premium therefor

(4) To reincure any risk or any part thereof. Provided, however, that any con-tract of reincurance and any reincurance carrier shall first be approved by the su-perintendent of insurance.

(5) To inspect and audit, or cause to be inspected and audited, the pay rolls of employers applying for insurance against liability for compensation.

(4) To make and enforce rules and regulations for the investigation and settlement of claims against such fund and to determine to whom and through whom the payments of compensation are to be made.

made.

(7) To contract with physicians, surgeons and hospitals for medical and surgical treatment and the care and nursing of injured persons entitled to benefits from said fund.

of injured persons entitled to benefits from said fund.

Sec. Ti. (a) It shall be the duty of the commission to fix and determine the rates to be charged by the Missouri compensation insurance fund for compensation insurance coverage as herein provided, and such rates shall be fixed with due regard to the physical hazards of each industry, occupation, or employment, and, within each class, so far as practicable, in accordance with the elements of bodily risk or safety or other hazard of the plant or premises or work of each insured and the manner in which the same is conducted, together with a reasonable regard for the accident experience and history of each such insured, and the means and methods of caring for injuret persons but such rates shall take no account of the extent to which the employees in any particular establishment have or have not persons dependent upon them, for support:

(b) The rates so made shall be that percentage of the pay roll of any employer which, in the long run and on the average, shall produce a sufficient sum, when invested at three and one-half per cent interest:

(1) To carry all claims to maturity

cent interest:

(1) To carry all claims to maturity: that is to say, the rates shall be based upon the "reserve" and not upon the "assessment" plan;

(2) To meet the reasonable expenses of conducting the business of such insur-ance, which shall not exceed ten per cent of the earned premiums.

(2) To produce a reasonable surplus to cover the catastrophe hazard.

(c) Nothing in this section shall be construed as exempting the rates so made from the operation of section 29 of this

construed as exempting the rates so made from the operation of section 23 of this act.

Sec. If Every employer accepting the provisions of this act may fraure his liability hereunder with the Missouri compensation insurance fund, subject to the provisions hereof and to such rules and regulations as may be prescribed by the commission or under its authority. The insurance contracts entered into between the Missouri compensation insurance fund and persons insuring therewith may be either limited or unlimited and insued for one year, or in the form of stamps or tickets or otherwise, for one month or any number of months less than one year, or for one day or for any number of days less than one year, or contract Provided, that the rates charged shall be proportionately greater for a shorter period than for a longer period and that a minimum premium charge shall be fixed in accordance with a reasonable rate for insuring one person for one day. Nothing in this act shall be construed to prevent any person applying for compensation insurance from being covered temporarily until the application is sinally acted upon, or to prevent the insured from surrendering any policy at any time and having returned to him the difference between the premium paid and the premium at the customary short term for the shorter period which such policy has already run. The Missouri compensation insurance fund may at any time cancel any policy after due notice, upon a pro rata basis of premium repayment.

Sec. ?) The Missouri compensation in-surance fund may lesus policies, includ-ir, with their employees employers who perform labor incidental to their occupa-tions, and including also members of the families of such employers engaged in the same occupation, such policies insuring to such employers and working members of their fundlies the same compensation are: such employers and working members of their families the same compensation pre-vided for their employees, and at same rates. Provided that the estimations of their wage values, respectively, shall be reasonable and separately stated in and added to the valuation of their pay rolls upon which their premium is computed. Such politices may likewise be sold to selfemploying persons and to casual em-ployees who, for the purpose of such in-surance, shall be deemed to be employed within the meaning of the set.

(b) At the end of each calendar month the commission shall account to the main

(d) Nothing in this act shall be one streed as placing the east fund in the

Sec. 82. (a) The commission shall enume all memory in the Ministeri compensation insurance fund, in circum of current requirements, to be invented and reinvested from time to time, in the macurifice new or hereinafter authorized by law for the investment of funds of savings banks.

(b) The commission shall, from to time, rubmit to the heard of commissioners an estimate of the an required by it for investment, which mate shall be accompanied by a

(c) At the end of each calendar mouth the commission shall account to the state auditor for all moneys so received, furnishing proper vouchers therefor.

(d) All moneys in said fund, in excess of current requirements and not otherwise invested, may be deposited by the state treasurer from time to time in the banks authorized by law to receive deposits of public moneys under the manerules and regulations that govern the deposit of other public funds, and the interest accruing thereon shall a credited to the Missouri compensation insurance fund.

fund.

Sec. 33. The state and each county, municipal corporation, township, school, road, drainage, swamp and levee district, school board, board of education, respents, curators, managers, or control, commission, board and each other political subdivision, corporation or quasi-corporation thereof, may insure against its hability for compensation with the Missourd compensation insurance fund, and the premium therefor shall be a proper charge against the general fund of each such political subdivision of the state.

Sec. 14. The commission shall continued

such political subdivision of the state.

Sec. 54. The commission shall each quarter make to the governor of the state, reports of the business done by the Missouri compensation insurance fund during the previous quarter, and a statement of the fund's resources and liabilities, and it shall be the duty of the state auditor to audit such report. The commission shall likewise make to the superintendent of the insurance decurrings all reent of the insurance department all re-ports required by law to be made by other insurance carriers.

other insurance carriers.

Sec. 85. Any employer who shall willfully misrepresent the amount of the payroll upon which his precium under this
act is based shall be liable to the Missouri compensation insurance fund in teatimes the amount of the difference isprecium paid and the amount the employer should have raid had his pay rollbeen correctly computed, and the hability to the fund under this section shallbe enforced in a civil action in the nameof the Missouri compensation insurancefund, and any amount so collected shallbecome a part of said fund.

Sec. 14. Any person who willfully mis-

become a part of said fund.

Sec. 14. Any person who willfully minrepresents any fact in order to obtain insurance at less than the proper rate for
such insurance, or in order to obtain any
payments out of such fund shall be guilty
of a mindemeanor, and on conviction
thereof shall be punished by a fine of not
less than fifty dollars nor more than five
thousand dollars, or by imprisonment in
the county juil for not less than one week
nor more than one year, or by both such
fine and imprisonment.

fine and imprisonment.

Bec. 87. For the purpose of providing for the expense of administering this not every person, partnership, association, corporation, whether organized under the law of this or any other state or country, company, mutual company, the parties to any inter-indemnity contract, or other plan or scheme, the Missouri compensation insurance fund and every other insurance carrier, insuring employment in this state against liability for personal injuries to their employees, or for death caused thereby, under this man, at la as hereinafter provided, pay tax upon the deposits or premiums received, whether in cash or notes, in this state, or on account of business done in this state, or for suc' insurance in this state at the rute of two and one-half per cent in lies of all other taxes on such pr miums, which amount of taxes be assessed and folierted as herein provided, provided that such insu-carriers shall be credited with can carriers shall be credited with canceled or returned premiums or savings actually paid to the insured in this state, and with premiums on reinsurance with insurance, carriers authorized and licensed to transact business in Missouri, which reinsurance shall be reported by the carrier reinsuring such business; but ne credit shall be allowed for reinsurance in insurance carrier not licensed to transact business.

med

nt,

** 108s

tup

pily

ber b

Sec. det

W.h. Document

de

A M

chi

fier. If any such insurance curries shall fail or refuse to make the return required by this act, the said superintendent shall assess the tax against such insurance carrier or self-insurar at the rate becam provided for, on such amount or premiums or deposits as he shall disamplust, and the proceedings thereon shall be the same as if the return had been made.

in maranch as hierain provided, and such other contracts or oblisations relating to the Missouri compensation insurance fund as are authorized or permitted under the provisions of Liss act.

(c) Invest and releavest the moneys be kindle to asid fund as hereinafter provided.

(d) Conduct all business and affairs relating to the Missouri compensation insurance fund, or compensation insurance fund, and insurance fund and such actual compensation insurance fund.

(e) Invest and releavest the moneys be kindle to asid fund as hereinafter provided.

(d) Conduct all business and affairs relating to the Missouri compensation insurance fund, and the best of the fund of the calculation of the commission and approved by the government of the commission and approved and the commission and approved and the commission and approved as the commission and approved approximate the commission and approved approximate to the fundation of the commission makes the commission and approved to the provision of the commission makes the commission and approved to the provision of the commission makes the commission and approved to the provision of the commission and approved to further transaction of business in two state until such taxes shall be paid. Upon receiving said money the state treasurer shall place the whole thereof to the credit of the fund for the support of the Min-

----- | ITHERO OF HIM IMPOUNTE MAN, DUST | | WI

priers, who remained away | and landed head first in the pocket native of this city, arrived here to electrical also